

8/17/2004minutes

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, August 17, 2004, at 2:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman
George Bartunek,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Supervisor Cardinale called the meeting to order at 2:25 p.m. and the Pledge of Allegiance was recited, led by Erica.

(At this time, there was a disk error and the meeting was not recorded)

Councilman Densieski offered the minutes of the August 3, 2004 meeting to be approved, which was seconded by Councilwoman Blass. The vote was called and Councilwoman Blass abstained. There were 4 yes votes to approve the minutes.

A proclamation was given to the local wineries. Wineries honored: 2000 Merlot, Jamesport Vineyards, Martha Clara Vineyards, Paumanok Vineyards and Palmer Vineyards.

REPORTS:

Police Department	Monthly report for May, 2004
Receiver of Taxes	Utility collections for July, 2004; total collected was \$191,685.37

APPLICATIONS:

Riverhead Foundation for	October 23, 2004 6 am - 5K run
Marine Research	the Ridley

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Site Plan industrial	1044 Parkway, LLC- Parkway Street to construct building
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Site Plan industrial	1074 Pulaski Street - Pulaski Street to construct building
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CORRESPONDENCE:

Frank & Wendy Ludwig	opposed to the creation of Chapter 16 - Domestic Partner Registry
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Robert Kozakiewicz	condition of sidewalk at Tuscan House restaurant
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Petition	48 names - opposition to signs posted in Spanish
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There were no Committee reports

Public Hearing opened: 2:42 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on August 17, 2004, at 2:15 p.m. regarding the consideration of a local law to amend Chapter 64 of the Town Code entitled Fire Prevention, Article XXIV, Emergency Access for Gated Properties."

Supervisor Cardinale explained the law. No one wished to speak at this public hearing. It was left open for 10 days for written comment.

Public Hearing closed: 2:43
Left open for written comment for 10 days

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(At this time, Supervisor Cardinale called for comments on the

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resolutions and the disk started recording)

Sal Mastropolo: "Okay. 728. It's the resolution on the firefighters and volunteer ambulance workers and can I just make a suggestion?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "On the public notice, it should be limited to the primary residence only, okay? In other words, one exemption per volunteer. And there's nothing in here that states that. If you have a volunteer and he owns several pieces of property, okay, he shouldn't get the exemption on all of them. It should be on his primary residence only. And I think you should add that in to this resolution."

Supervisor Cardinale: "I think- yes, I think- Laverne, would you come up, please, and comment? If you have a comment that is in response."

Laverne Tennenberg: "Good afternoon. Laverne Tennenberg. The law states that they have to reside in the district in which they serve."

Supervisor Cardinale: "Yes."

Laverne Tennenberg: "So it's very clear. It doesn't say that it's their primary residence. It says they have to live in the district in which they serve."

Supervisor Cardinale: "Yeah, but this- he's asking a different question, I think. It's- the exemption is for qualifying residential property under this section of the New York- does that qualifying residential property is only their primary- is it their primary residence only?"

Laverne Tennenberg: "It doesn't say that in the statute."

Supervisor Cardinale: "What is qualifying residential property?"

Laverne Tennenberg: "They have to live in the district in which they serve. It doesn't say it has to be their primary residence."

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Supervisor Cardinale: "So, what is- "

Laverne Tennenberg: "I don't have the statute in front of me. If you want, I'll get it."

Councilman Densieski: "Can they claim more than one? In other words, if they have five rental houses, can they get a break?"

Laverne Tennenberg: "They can only serve in one fire district pretty much."

Supervisor Cardinale: "Yeah. But how about if they've got five rental properties in that district is the question."

Laverne Tennenberg: "Let me get the statute and I'll read it."

Supervisor Cardinale: "Okay. I would assume they were intending to give firefighters a reduction of 10% on their residential assessment on their home. But if they're doing more, it would come as a surprise to me and also to Sal. It's a good question."

Laverne Tennenberg: "It's highly unlikely that they own more than one, but I can check on that. But- the statute is not very specific."

Supervisor Cardinale: "Well, I'd like to see what the statute says and if it-- because I'd like- when we pass- when we consider passage of it at the public- we don't need to know that right now. We need to know that for the public hearing."

Laverne Tennenberg: "Okay."

Supervisor Cardinale: "Because it's only being posted for a public hearing. But I would- I have always assume when I've discussed it with the firefighters, and I think they have also, that it was their residence that would attain this and no other property."

Laverne Tennenberg: "Okay."

Supervisor Cardinale: "Okay. Thanks."

Councilwoman Blass: "Irrespective of what the statute says, suppose- it is vague. Is it possible for us to put that clarifying language into our own or do we have to adopt it verbatim? Or- "

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Laverne Tennenberg: "You have to go by what state legislation allows you to adopt. And if there's misinformation or there's lack of clarity, then we can write to the State for an opinion from the counsel's office and then the opinion would guide you from there."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Thanks. And you should- when we have the hearing, Sal, make sure if you are here and you often are, to bring that up again so it's part of the record."

Sal Mastropolo: "Okay. 729. I didn't see anything in here that talks about two employees, husband and wife, working for the town. And I'm trying to understand what the rationale for the cash payment was. Okay? And then it brings- it begs the question what about that domestic registry as well? Okay."

If two- husband and wife work for the town, does this mean that one of them gets the health coverage and the other one gets cash?"

Supervisor Cardinale: "Let me clarify a couple of things. First off, in regards to the domestic registry, that has nothing to do with benefits. It simply is a registry for better or worse."

In regard to the present law in the town, the present contract with our employees, all employees who work full time are entitled to the benefits, the health insurance. If you- if you have health insurance, for example, if you have health insurance- Jill, my Deputy's husband is a police officer- "

Sal Mastropolo: "Through her spouse."

Supervisor Cardinale: "-- she- you can take it and have- he'd be primary, she'd be second, you'd have duplicative coverage but you'd have some additional coverage, or you can reject it but you can't simply say I'll take a very modest, I think it's \$1,650, and if I take the 1650, I get the town off the hook of paying eight or \$10,000 annually for the benefit of health insurance."

So what this- now, that exists for all employees, that they can say, I've got the coverage, give me the 1650. What this is suggesting- what it is supposed to suggest and incidentally, it's going to be pulled today, it's going to be tabled because it needs further work on the language- "

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Sal Mastropolo: "Okay. Because I didn't see any numbers in here either."

Supervisor Cardinale: "Right. It's supposed to suggest that- to give the opportunity to the elected officials to do the same thing. Instead of taking coverage which they really don't need, take \$1650, the town saves having to give you the coverage of 10,000 and the net effect is positive for the finances for town."

This needs work. We're pulling- we're tabling it by consent today."

Sal Mastropolo: "Okay. Last one."

(Inaudible remark)

Supervisor Cardinale: "Yes. Laverne- did you get that for him? Okay. So it is primary residence, Sal on that other question."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Firefighters primary residence receives a 10% assessment reduction."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "If we pass that."

Sal Mastropolo: "748. My first question is, where's Lombardi Park?"

Supervisor Cardinale: "Lombardi Park is right at the old Swezey location there, behind the- where the Swezey building was supposed to be."

Sal Mastropolo: "Okay. My next question is what's the purpose of the gazebo and why a steel one?"

Councilman Densieski: "Well, it's coated steel. Why? Because the one that's there has been used for years, it's rotten and (inaudible). So I think it's about time that the town replaced it."

You know, it was named after Councilman Lombardi and personally I think it's a disgrace what's there. The steel one is decorative

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steel. It's not like- "

Sal Mastropolo: "Okay. Because I was going to suggest post and beam."

Councilman Densieski: "This is- looks like post and beam with decorative steel. It's basically power coated. It will last for many, many years."

Sal Mastropolo: "Okay. Thank you."

Supervisor Cardinale: "Thank you. I appreciate it. Okay. Yes, please come forward. How are you?"

Warren McKnight: "Okay."

Supervisor Cardinale: "Good."

Warren McKnight: "Good to see you."

Supervisor Cardinale: "Go ahead."

Warren McKnight: "728. You know, you commented on that John Lombardi Park and everybody remembers John Lombardi.

The sad thing about the gazebo there, even when it was first built, I remember it, it was constantly vandalized. I mean with the wood and it still is and everything else. And I suppose with the metal one, we're still going to have problems, but hopefully it will be less."

Councilman Densieski: "It won't burn down like the last one."

Warren McKnight: "Exactly. Between that and vandalism and everything else, I know the police presence has increased since then and, of course, downtown seems to be more, you know, viable. There's a lot happening but after- between the hours, I guess, the bewitching hours, between the hours of 12 and 4 or 5 in the morning- "

Councilman Densieski: "We're just looking to go out to bid to see what the price will be and then the Board will make a decision whether we want to do it or not."

Warren McKnight: "Yeah, exactly. But the, the post and beam it was a shame what happened there. It was a few weeks old and it

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was, you know- thank you."

Supervisor Cardinale: "Thank you. And I'd also point out that that park is going to have other improvements as well. There will be a really nice, a very nice clock that Rotary is assisting in purchasing. There's going to be that gazebo. There's going to actually be some grass that's green so it will be a much- and some walkways, so it will be a very much more attractive park.

And, also, I picked up the phone just before I came in here- probably she's also on vacation, but the park behind the river, the riverfront park which with some work is going to have a broad band of green, a real park like band of green and that's going to be a two million dollar project with the bulkheading and Grangibel Park which is going to have an amphitheater and a lot of walkways and a million dollars of money spent, federal money in both instances. I've asked that that be open for next Memorial Day. Keep your fingers crossed folks. Nothing moves fast here but I'd like to have all those three parks open by then. So the town will look a little better if we're lucky.

Any other comments? That's- and then if there isn't, we can pass the resolutions and then we'll keep it open for general comment right after we pass or decline to pass these resolutions.

We have a resolution from the CDA to start so I'm going to close the meeting of the Town Board just for a moment."

Meeting adjourned: 2:55 p.m.

Meeting reopened: 2:59 p.m.

Supervisor Cardinale: "Reopen the Town Board meeting and, Barbara, could you call Resolution #717."

Resolution #717

Councilman Densieski: "Authorizes the Town clerk to post and publish a notice to bidders for street lighting and traffic signal maintenance repair parts. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

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The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #718

Councilwoman Sanders: "Authorizes the Town Clerk to post and publish the attached notice to bidders for Altec Model AT37-G bucket truck. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #719

Councilwoman Blass: "This resolution accepts the offer of sale of development rights in connection with the sale of Harold and Gene Goodale property. It's 18 and a half acres and we are purchasing development rights for \$34,000 an acre. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #720

Councilman Bartunek: "This resolution approves Chapter 90 application for Martha Clara Vineyards LLC for a Greek Festival. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #721

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Councilman Densieski: "Approves the Chapter 90 application of the Old Steeple Community Church for the annual antique show. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #722

Councilman Bartunek: "Approves Chapter 90 application of the WSHU public radio group."

Supervisor Cardinale: "I believe this was going to be withdrawn because as it turns out a Chapter 90 is not required because it's not a special event. It's a wine tasting at a winery. And we did promise those people we wouldn't harass them too badly. Is that right, Chris? So on the advice of counsel, we are going to withdraw it. I would like someone to withdraw it. George, perhaps."

Councilman Bartunek: "Okay. I will move to withdraw it. Resolution #722. So moved."

Councilwoman Sanders: "Second the motion."

Supervisor Cardinale: "Moved and seconded to withdraw 722. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is withdrawn."

Resolution #723

Councilman Densieski: "Approves the sign permit of Riverhead Paint Plus. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

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Resolution #724

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a public notice to consider a proposed local law to amend Chapter 108 of the Riverhead Town code entitled Zoning Article XIII Supplementary Use Regulations, Chapter 108-54 Municipal Buildings, Hospitals, Public Utility Buildings and Structures. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #725

Councilman Bartunek: "Authorizes the Town clerk to publish and post notice to consider a proposed local law for an amendment to Chapter 18 entitled Code of Ethics. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. And this Code of Ethics will be available-- we're blending two versions and it will be available August 26th at the Clerk's office. The one that we will be having the hearing on."

Barbara Grattan: "Okay, that resolution is adopted."

Resolution #726

Councilwoman Blass: "Authorizes the Town Clerk to post and publish a public notice to consider the purchase of development rights of a parcel located in the Town of Riverhead owned by Reginald and Connie Farr. So moved."

Councilwoman Sanders: "And seconded."

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Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #727

Councilman Bartunek: "Authorizes the Town Clerk to publish and post notice of a public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead town code. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #728

Councilman Densieski: "Authorizes the Town Clerk to consider a proposed local law for an amendment of Chapter 95 Taxation of the Riverhead Town Code Exemption for Volunteer Fire Fighters and Volunteer Ambulance Workers. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #729

Councilwoman Sanders: "Move to table this resolution."

Councilwoman Blass: "Second to table."

Supervisor Cardinale: "Moved and seconded to table. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is tabled."

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Resolution #730

Councilwoman Blass: "At the request of the Recreation Department, I understand this is a request for withdrawal."

Supervisor Cardinale: "Would someone second to- "

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded to withdraw. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is withdrawn."

Resolution #731

Councilwoman Blass: "Ratifies the appointment of a Lifeguard Level I to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "Withdraw this?"

Supervisor Cardinale: "The next one. This is to be voted on. We have it moved and- "

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "-- seconded by George. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #732

Councilwoman Blass: "Request to withdraw this resolution."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded for withdrawl. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is withdrawn."

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Resolution #733

Councilwoman Blass: "Ratifies the appointment of a Lifeguard I to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #734

Councilwoman Blass: "Appoints various individuals as League attendants to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #735

Councilman Densieski: "Is a resolution calling for a public hearing for Hounds Gate Development lateral water main for the Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #736

Councilwoman Blass: "Resolution calling for a public hearing in connection with the Kelbridge Meadows Development lateral water main the Riverhead Water District extension. So moved."

Councilman Bartunek: "Moved and seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

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The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #737

Councilman Bartunek: "Order calling for a public hearing for Extension 80 to the Riverhead Water District for Traditional Links. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #738

Councilwoman Sanders: "Authorizes the Town Clerk to advertise for bids for Phase 2 for Aquebogue Golf Resorts for the Riverhead Water District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #739

Councilman Densieski: "Phil, I know this is the one that we've been going back and forth on."

Supervisor Cardinale: "Yeah."

Councilman Densieski: "Is it resolved now?"

Supervisor Cardinale: "Yes. It is."

Councilman Densieski: "Okay. Pulaski Street water tank repainting project budget adjustment. So moved."

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Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yeah. I did receive a list of the engineering expenses of the \$26,000 number satisfactory to the engineers-- engineering department and our office. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #740

Councilwoman Blass: "This resolution sets a budget adjustment in connection with the Residential Rehab Loan program. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #741

Councilwoman Sanders: "It's a housing rehab project budget adjustment. So moved."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek."

Supervisor Cardinale: "Oh wait a minute, we didn't second it."

Councilman Bartunek: "I'll second that, yes."

Barbara Grattan: "Sorry."

Councilman Bartunek: "And I vote yes."

Barbara Grattan: "Oh, good."

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The Vote (Cont'd.): "Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #742

Councilwoman Blass: "This resolution adopts the budget in connection with the open space purchase project known as the Ostad project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #743

Councilman Densieski: "Aquebogue Golf resort phase II water extension budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #744

Councilwoman Blass: "Authorizes the Town Clerk to publish and post a help wanted ad for guards in the Sanitation Department. So moved."

Supervisor Cardinale: "Moved and seconded. No, wait a minute. We didn't get a second."

Councilman Densieski: "I'll second it."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Okay. Moved and seconded now. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski,

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yes; Cardinale, yes. The resolution is adopted.

Resolution #745

Councilwoman Sanders: "A budget adoption for the Railroad Avenue parking field project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #746

Councilwoman Blass: "Authorizes the Town Clerk to publish and post a help wanted ad for a grants coordinator. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #747

Councilman Bartunek: "This is a general fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, abstain; Blass, yes; Densieski."

Councilman Densieski: "Just a quick question. I know we did review this. The code enforcement equipment, I don't recall."

(Inaudible)

Supervisor Cardinale: "Yeah, code-- "

Councilman Densieski: "Oh, yes, I recall. I'm sorry. Yes."

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The Vote (Cont'd.): "Cardinale, yes. The resolution is adopted."

Resolution #748

Councilman Densieski: "Authorizes the Town Clerk to post and publish a notice to bidders for the purchase and installation of a 28 foot diameter steel gazebo. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "As I pointed out, this was approved by the Rec Committee. Yes."

The Vote (Cont'd.): "Cardinale, yes. The resolution is adopted."

Resolution #749

Councilman Bartunek: "Ratifies the approval of the Chapter 90 application of the Riverhead Elks Lodge #2044 for the abate bike and swap meet, August 15th. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #750

Councilman Densieski: "Approves the amended site plan of the American Legion Post #273. So moved."

Councilman Bartunek: "Seconded."

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Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #751, #752, #753, #754

Councilwoman Blass: "If there's no objection, I would like to move Resolution #751 through 754."

Supervisor Cardinale: "Yes, very good."

Councilwoman Blass: "They are all reappointing volleyball officials and leaders in the Recreation Department. So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote on 751 through 754."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolutions are adopted."

Resolution #755 through #771

Councilwoman Blass: "Again, Mr. Supervisor, if there's no objection, I would like to move Resolutions 755 through 771. I will list the various districts but they are all abstracts in connection with the Local- new zoning that's to be considered in public hearing."

The abstracts may actually take a different format when they are published in the paper itself, more of a narrative as opposed to what's provided today but nevertheless there would not be a substantive change and if I could just take a minute to read each of the districts, then we would make sure that they're all in the record.

Industrial Recreation District
Industrial A
Hamlet Center
Village Center
Shopping Center
Business Center

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Commercial/Residential Campus
 Destination Retail center
 Rural Corridor
 Tourism Resort Campus
 the five downtown districts they being DC-1 through 5
 Business CR
 Transfer of development rights law

These are all proposed commercial zoning use districts and local laws in connection with the implementation of the master plan. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolutions are adopted."

Barbara Grattan: "What do we have now?"

Councilwoman Blass: "772."

Councilman Densieski: "In the meantime, Phil?"

Supervisor Cardinale: "Yes?"

Councilman Densieski: "Do the Boy Scouts still get their merit badge if they sleep during this meeting or- "

(Inaudible - from the audience)

Councilman Densieski: "Caught a couple of them out there."

Resolution #772

Councilman Bartunek: "Authorizes the Supervisor to execute retainer agreement with Grotta, Glassman & Hoffman, for legal services. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders."

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Councilwoman Sanders: "I'm sure they're a very qualified firm but at this point I just think the timing is not appropriate to take on a new firm that is not familiar with all the labor issues that we will be addressing very shortly with the PBA, the SOA and CSEA contracts. So only for timing purposes, I think this is a bad time. I think we should stay with the counsel that we have who has a great deal of experience and can move us through this process with his expertise. I'm going to have to vote no."

The Vote (Cont'd.): "Blass."

Councilwoman Blass: "Mr. Supervisor, I would like to have had the benefit of additional discussion in executive session that may or may not have taken place in my absence. And for those reasons, I'm going to abstain on this resolution."

The Vote (Cont'd.): "Densieski."

Councilman Densieski: "Rose made some good points. We have had a long standing relationship with the previous counsel and Rich Zuckerman is probably one of the most talented guys I know. Yet I did not support his contract the last time it came up, and I think it really is time for a change because we're coming into contract negotiations and I think if I stand correct, Mr. Supervisor, we're actually going to save a few bucks on this contract."

I think it is time for a change. I think it's to the benefit of the taxpayers of Riverhead to sharpen a pencil and try a new firm. So I'm going to vote yes."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Yes. In regard to this-- the CSEA contract actually is about to be signed, will be in effect for four years. So the SOA and PBA contracts need to be negotiated for the five and six year-- 05, 06."

I think change is good often for the soul. I respect Mr. Zuckerman, he's an excellent lawyer but I really do think he's overburdened now that he's operating from a smaller firm. He's, as you know, changed his association and is now with a different firm."

I-- we will save three or four thousand dollars annually on the retainer for the negotiation of the contracts and I think it's-- I

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think some new creative approaches to some of our labor issues is in order so will vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #773

Councilman Densieski: "Authorizes the Town Clerk to publish notice of a special Town Board meeting. That meeting will be on September 13. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass."

Councilwoman Blass: "Yes. This is a public hearing to consider those new zoning use districts that we read about earlier. Yes."

The Vote (Cont'd.): "Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. This public hearing is at 1:00 p.m. and we're looking forward to participation by many members of the public."

Barbara Grattan: "That resolution is adopted."

Resolution #774

Barbara Grattan: "Resolution #774 is to pay bills."

Supervisor Cardinale: "Someone move to pay bills."

Councilman Densieski: "Yeah, I'd like to pay the bills. Motion to- so moved."

Councilman Bartunek: "Second."

Supervisor Cardinale: "Moved and seconded. Vote, please, to pay the bills."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The bills are paid."

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Barbara Grattan: "And now we've got tabled resolution which is 706."

Councilwoman Sanders: "Discussion."

Supervisor Cardinale: "Yes."

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Councilwoman Sanders: "Chris, are you satisfied- and last we spoke there was- was it completed?"

Chris Kent: "It's completed. (Inaudible) - the sidewalk extending around Harrison Avenue and the cuts in the sidewalk to allow handicap access (inaudible)."

Councilwoman Sanders: "So you did see that? You saw it?"

Chris Kent: "Did I see it?"

Councilwoman Sanders: "You saw it. Last we looked at the site plan, it had not been red lined."

Chris Kent: "I spoke to Rick about it but I didn't see (inaudible). Unfortunately he's not here tonight."

Supervisor Cardinale: "He's in the city, yeah."

Chris Kent: "I have not seen the completed plan. We did speak about it on Thursday- "

Councilwoman Sanders: "Can we mention the- "

Chris Kent: "He's been working on the resolutions for the commercial zoning since the last time we spoke."

Councilwoman Sanders: "Is there a way we should make reference to it possibly in the resolution so that we're dealing with the- I'm sorry."

Chris Kent: "We could state that it's the red lined- "

Councilwoman Blass: "Red lined- "

Supervisor Cardinale: "As depicted by the revised red lined striped- "

Chris Kent: "Revised site plan prepared by Newman and red lined by the Planning Department."

Supervisor Cardinale: "You've got that Barbara?"

Chris Kent: "That's red lined by the Planning Department."

Councilwoman Sanders: "As- "

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Barbara Grattan: "So you're taking it off the table?"

Councilwoman Sanders: "Yes."

Supervisor Cardinale: "Could we have a motion to take it off-
"

Councilwoman Sanders: "Yes. Motion to take it off the table."

Councilman Densieski: "Second."

Supervisor Cardinale: "Moved and seconded to take it off the
table. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski,
yes; Cardinale, yes. The resolution is brought off the table."

Supervisor Cardinale: "Can we have a motion to consider a
vote?"

Councilwoman Sanders: "Amends the site plan of Laundry Palace.
So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "And that's as amended. Correct? As
amended again, yes."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes, as amended."

Barbara Grattan: "The resolution is adopted."

Supervisor Cardinale: "Is that the- that completes our
consideration of the resolutions. We'll now take any comment from
any one on any subject relevant to the town. Sandra."

Sandra Mott: "Good afternoon. Sandra Mott, Riverhead. I just
wanted to make a correction to your correspondence from not this
month-this week rather, but your previous August 3rd Town Board
meeting agenda which I just picked up, in regard to correspondence

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petition 37 names for new no kill animal shelter location to include cats and dogs.

It was actually 200 and I brought in 37 on a separate occasion as part of that 200 because I had not copied them, so it's actually 200. But I'm also bringing in an additional 34 now that I'm going to bring up to Mrs. Grattan to add to the record formally so it's now up to 234.

There are a number of petitions still out and they will be continued to be brought in in regard to this.

And I'd like to know, I did have a meeting with John Stephans and I'd like to know if anything has moved along in regard to when something's actually going to physically happen."

Supervisor Cardinale: "John, you may know better than I but at this moment I know what I'm concentrating on is trying to complete a \$35,000 improvement to the present shelter which seems incredibly difficult to accomplish. The budget was passed some time ago and we're finishing that 35,000 improvement which is mostly a fence and some other improvements.

John, on the discussion you had with Sandra- "

John: "Phil, I'm moving along. I'm meeting with other people and, as promised, I will obviously get in touch with (inaudible)."

Sandra Mott: "Okay. Because I said I would like to hope that this is sort of like a bakery process. You come in, you get the rye bread if you're first in line. Because it's been as I said a long time and I know you are all busy and I know there are issues but the Rec Hall place over in Calverton is up. All these other issues have been accomplished including the bathrooms behind Swezeys and all these other issues.

So somehow, I think that may be bumped up a little bit, the concern of the domestic animals in the town should be maybe a little bit higher than bathrooms now that that's resolved and some other issues because as I said I know- I understand John is new in getting (inaudible) I'm sure and deep. But nonetheless, time is passing.

So, I hope something concrete, pardon the pun, will be happening, maybe before the fall. Do you think that that will happen?"

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Supervisor Cardinale: "Yeah. I also- John, when we discussed this at the meeting, we also have a committee which Ed- "

Sandra Mott: "Ed and Rose, too."

Supervisor Cardinale: "And Ed and Rose are- "

Councilwoman Sanders: "Thank you."

Supervisor Cardinale: "-- members of which we- once we get a policy set, the implementation should really come through that committee. Okay? And I think if I can just get this straight myself because John and I- didn't have time to brief me.

Your basic concern is a new location for the shelter and a taking in cats as well as dogs and doing a- it's not called a no kill, but limited euthanasia. Those are the three major concerns. Right?"

Sandra Mott: "Yes."

Supervisor Cardinale: "Okay."

Sandra Mott: "Limited use euthanasia will not get as much money in grants as a no kill will. Even in New York City, Mayor Blumberg is going into a no kill philosophy as well as- which is an off shoot of San Francisco and obviously you'd have to consider the concerns of the state of the animal's health and so on- "

Supervisor Cardinale: "Right."

Sandra Mott: "-- but nonetheless it should be extremely limited."

Supervisor Cardinale: "Right."

Sandra Mott: "And it needs to be a new location because I've not spoken to one person who thinks highly of the location where it is now. It's really out of sight, out of mind as well as health issues, not only for the animals but for the workers, volunteers, potential adoptees.

I mean it's right in the midst of confusion between Crown Sanitation and the reclamation across the way and the amount of dust and debris and God knows what else is going into the air, for any living creature up there, human or not, you know, that really needs

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to be considered.

And I went through the test- the review of the testing of the methane and migration and so on to get away from the emotion. Whatever way you want to look at it, the need is there and it can simply be done (1) as John and I spoke. I said the simple solution is just to transfer it out to a vet, bid it out. I don't know if you'll find one that's going to be receptive and then have a per diem cost, and a have a fund raising process for the medical concerns.

You have 106,000 plus or minus up in that budget, you know, and obviously as I wrote to the paper and I read in the paper which ironically came right after my last conversation up here that they were up- the workers, animal control, were picking up litter and it wasn't puppy's. It was garbage on the beaches which is another issue. But that's not what they were hired for. At about 30, 35,000 a year, that's a very expensive garbage picker. You know what I'm saying?

And if they're going to be in animal care and control, then that's what they should be doing and let's stop deferring them. Because, frankly, if you want to look at it, over 10, 11 years that we've been involved, my mother and I and not to mention the other people, if you are just paying me 30,000 over 10 years, you owe me \$300,000 plus and I'll happily donate it to the new facility. You know, I'm just saying one person because it becomes a full time issue.

And there are many people- even John told me who I have not heard of but you won't hear of people because they are fearful. So that's one correction I wanted to make.

I want to move onto the next, so I'm going to submit those additional 34. More will be coming.

I read about the Long Island Railroad discontinuing service, discontinuing it. I don't know if it's an actuality or just a threat from Ronkonkoma to Greenport and I was up here another time saying you should be adding more. I have a very long letter from, let's see, James (inaudible), the president of the Long Island Railroad, blah, blah, blah depending on use and condition of track.

Well, you know, I got the same kind of letter a few years ago from somebody else who was running the show. We need more service, not less and I think the town needs to take action with the other-- not only Riverhead but Southold, who's going to be affected."

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Supervisor Cardinale: "Yeah. I think it is a threat. That seems to be the consensus."

Sandra Mott: "Is that it?"

Supervisor Cardinale: "It's not seriously intended. But Fred Thiele as you may know, the Assemblyman on the other side of the bay, is quite annoyed, too, as thinking maybe we need a Peconic Transportation Authority which would watch out for what happens east of the Suffolk line."

Sandra Mott: "Ronkonkoma. Because even when Chris was running, he said that he wanted a transportation hub. Well, you can't have a hub if you don't have a train. You have a million dollar facility there that was remodeled, a beautiful new station, that's not used as a train station at all. They have the ticket machines."

Supervisor Cardinale: "Yeah. Right. Yeah, we're working on that."

Sandra Mott: "And very odd numbers of trains that come and go and you have to be real lucky to do it. And a lot of people who can't afford cars or insurance as I've said before will need this service. And the more elderly might very well need it and you have shuttles (inaudible)."

Supervisor Cardinale: "Right."

Sandra Mott: "Anyhow, and I only have one other issue that somebody brought to my attention because they know that I come here. My favorite conversation piece, the skate park. Somebody said to me they went to utilize the skate park and they had paid their fee, \$25.00 a year fee, but they were charged an additional \$5.00 a head fee."

Supervisor Cardinale: "I am not- "

Sandra Mott: "Now, if that's true, I have no idea, this is what they're saying to me."

Supervisor Cardinale: "Rose may have the answer."

Councilwoman Sanders: "If they paid their annual fee, they should not be charged. I can't say what happened in that particular

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incident- "

Sandra Mott: "Yeah."

Councilwoman Sanders: "-- but if you pay your annual fee- "

Sandra Mott: "There should be no additional charges."

Councilwoman Sanders: "-- there should be no daily."

Sandra Mott: "Then that's public information now, that there are no additional charges for people using the skate park?"

Councilwoman Sanders: "Right. Exactly. It's done by resolution. It's 25,000- \$25.00 annual fee."

Sandra Mott: "Soon it will be \$25,000."

Councilwoman Sanders: "And if you have any questions, call the Recreation Department directly. They'll be sure to set the record straight."

Sandra Mott: "Okay. And who should they call, anyone in particular?"

Councilwoman Sanders: "They can ask- anybody over there. They'll direct you."

Sandra Mott: "I'm just relaying the question. Because they said you go up and speak and I don't have the time to or whatever. And did anyone check out how much soil is actually taken out at the intersection of Route 58 and where Glenwood exits onto 58? Because it's basically ground level now. A lot. Did we make a lot of money. Trucks, they were lined up. We couldn't get in or out of Glenwood."

Supervisor Cardinale: "The implementation of the excavation fees is being fully investigated and it's on the calendar for the work session on Thursday whether we need some changes in the monitoring of what's coming in and out once we approve excavations."

Also, we need some greater- greater precision in analysis of the plans because some of the plans take out a little more than is reasonably necessary."

Sandra Mott: "What else is new?"

Supervisor Cardinale: "In order- "

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Sandra Mott: "Whether it's a tree or dirt, they're always taking something excessive."

Supervisor Cardinale: "So we assume the good faith perhaps to our peril of the people that apply and I'm beginning to think that we may not be able to do that in certain instances."

Sandra Mott: "I think it's taking advantage of a lot of situations and this is money that could be utilized in other capacities and not only in an animal shelter, the other facilities of the town."

Coupled with the fact that you gave- do I understand correctly? That you gave that hotel/motel, whatever they're calling themselves, tax breaks?"

Supervisor Cardinale: "Certainly we did not. We recommended as a board unanimously that they not be given any abatement of town or school district tax. And the IDA, and I've discussed this with them at length, and they're also coming in to have a joint meeting with the Board about this, because their policy is different from ours and that's a problem because we appoint them."

They elected to give half of the- "

Sandra Mott: "Their policy is different from yours?"

Supervisor Cardinale: "That's correct. And they're an independent body. We appoint them but we cannot do anything but- we cannot control them. They're an independent body which has a right, which have the right to give tax abatements if they see fit. But the Board would have also the right to make changes in the Board as it sees fit and we're in constant contact with that Board."

Sandra Mott: "Shouldn't you all be on the same fiduciary level in being concerned for the taxpayers- "

Supervisor Cardinale: "Yes."

Sandra Mott: "Then they should not be able to do what you don't want them to do. That seems a little absurd and unfair."

Councilman Densieski: "Can I respond? There's a lot more to it than that."

Sandra Mott: "Well, I live behind it and I was just looking at

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the trucks coming and going and coming and going and not being able to get out on Route 58. It's very dangerous."

Councilman Densieski: "Well, I'm talking about the IDA. They had the ability- "

Sandra Mott: "I'm not interested really in them."

Councilman Densieski: "-- to go to the Suffolk County IDA and get more so it was part of a compromise deal."

Supervisor Cardinale: "Right. That is an accurate statement. If the IDA of the town doesn't give them some relief when requested, they do have the opportunity to go to the county which could give them the same relief. So it's a little more complicated than- "

Sandra Mott: "Well, and the ones who are suffering are the people who are trying to get in and out. And by the way, if you're putting lights in front of gated communities on Middle Road and I get the same hurrah we can't put a light on Route 58 exiting onto 58 because it's a private community, it's a road going onto a private- a private road going onto Route 58, then you shouldn't have lights at any intersection on Route 58 because it's all private property, whether it's K-Mart or Target or whatever.

I don't care if it's a private community road entering Route 58 or not, it is extremely hazardous there and I'm sure, you know, most people don't come that way all the time, but since we live there we do, and the construction of the road from Riverhead Center is so wide and then you hit Mill, anyone who lives over there- maybe Chris knows even better. You're coming down Route 58, it's huge, you're getting concentrated down basically into one lane, one lane, and a turn lane, they are using- because they panic and they speed up as they cross over Mill Road and find out that that big road is not there anymore, they panic and use the Mill, you know, crossing, turn lane, pardon me, as their own lane and they rev up and there's no way you can get in and out and telling me I can't make a left out of Glenwood is silly.

Where do you think these people came from? They didn't come from Southold to come live in Glenwood. They came from Lindenhurst, they came from the City, they came from Nassau. It is- we need a light there. I'm not doing any petitions. I'm just telling you the safety issue alone, the number of crackups there, and when one of these monster trucks come down, even from that hill, where you can't see left or right the way it's set up, you're going to have a major,

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major concern.

And if somebody would go reinvestigate the need there, and whoever has to pay for it needs to pay for it. Because now with the quote unquote extension of Glenwood, they're even going to be bringing more cars in and, you know, the big construction which we've had all along, but it's extremely dangerous and I can understand why people panic because they're coming from this and going to this.

And there's no- I mean the sign's right there, merge. You know, it merges to a smaller lane. But someone from engineering or highway or whomever, I know it's a county road, contact whoever, Mr. Carracciolla, whoever. There needs to be a light there.

I know that there's a light at Mill. There needs to be a rotary if they're going to put one there because I don't know the intersecting road on- there's a gated community on Middle Road that just got a light, big fancy condominium. It's- there's John Wesley Village and then I don't know the names of- pardon?"

(Inaudible from the Board members)

Sandra Mott: "Okay. Well, right there, there's a new- excuse me, they're new to the neighborhood and they get the light first. And that's not as busy, you must admit. I mean it's getting busy. It's not as busy. But for the safety alone of the community, I would really say please do something before something happens. I mean there's been a lot of little accidents but, you know, the senior citizen community and all the other ones you've added on, it's not helped anything."

Supervisor Cardinale: "John-- thank you."

Sandra Mott: "Thank you very much."

Supervisor Cardinale: "John, would you make a note of that because I do think we should look into that with the county. Thank you. Is there- "

(Unidentified) "I would like to thank the Town Board- I have to get the boys back to camp, for this opportunity that you've given them and, hopefully, next year we'll have another crew and- "

Supervisor Cardinale: "Great. We've been- "

Councilman Bartunek: "Just out of curiosity, how many of the Scouts were going to take Political Science in college?"

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Supervisor Cardinale: "How many of the scouts-- having them change their major from Political Science to something else after today he wants to know."

(Unidentified) "I'm afraid to ask."

Supervisor Cardinale: "Yeah, me too."

(Unidentified: "Thanks very much."

Supervisor Cardinale: "We appreciate your coming and we appreciate you guys staying awake, or at least appearing to do so."

Councilman Densieski: "Good luck."

Supervisor Cardinale: "Take it easy. Yes, why don't you come on up, please? Next comment."

Dorothy O'Hare: "Dorothy O'Hare from Reeves Park. I did not have a very happy day yesterday. I was up here and I read in the News Review where they have 15 proposed changes or whatever to the master plan- "

Supervisor Cardinale: "Yes."

Dorothy O'Hare: "But I couldn't get them until September. Then I went- "

Supervisor Cardinale: "Actually, August 26th, but go ahead."

Councilwoman Blass: "They're not changes to the master plan."

Supervisor Cardinale: "Actually, no it's September 3rd, you're right. Go ahead."

Councilwoman Blass: "Could we just- they're not changes to the master plan, though. That's important for you to know. They're adopt- they're implementation of the master plan, they're not changes to the plan."

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "It's the zoning that- "

Dorothy O'Hare: "Well, see, this is my problem. My problem is

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that I am not an expert."

Supervisor Cardinale: "Yeah."

Dorothy O'Hare: "All right? And I am trying to learn. So I went and I got the EAF form, environmental assessment form, and I was given part 1 and 2 but I can't have part 3 because of attorney client privilege. Okay, fine."

Supervisor Cardinale: "What are you doing with an environmental assessment form?"

Dorothy O'Hare: "I had to fill out a freedom of information act- paper and I was given- "

Supervisor Cardinale: "For?"

Dorothy O'Hare: "For EMB."

Supervisor Cardinale: "Oh, you want to look at EMB file?"

Dorothy O'Hare: "Yes."

Supervisor Cardinale: "Why don't you just go and look at it?"

Dorothy O'Hare: "I did. I did. Okay. I got Part 1 and Part 2 but I couldn't get- "

Supervisor Cardinale: "Of the form."

Dorothy O'Hare: "-- Part 3 because- "

Supervisor Cardinale: "Oh, I get you. Now I understand."

Dorothy O'Hare: "-- of attorney client privilege. Then I wanted a copy of the tax map."

Supervisor Cardinale: "Okay."

Dorothy O'Hare: "And they said, no, I couldn't get that because they're copyrighted. And then I went into the Building Department to check on the zoning. Now right next to, okay, they have EMB Park Road Boom Development, and right next door there's- it used to be a potato warehouse, 100 years ago. The 4H camp used to have square dances in there. And then all of a sudden, you know, trucks came, now there's moving vans, this, that and the other thing."

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And I said that was my question. How did it get to be commercial? How did those trucks get to be there? You know what she told me? She said that back in June that Agricultural land or whatever it was, was changed to CR. It's 191 feet long, fronting on- "

Supervisor Cardinale: "Who told you this?"

Dorothy O'Hare: "Somebody in the Building Department."

Supervisor Cardinale: "Yeah, one of the problems with wandering around this building, if you ask three people three question, you're going to get three different answers."

Dorothy O'Hare: "Well, then how is the average person supposed to learn? Do I have to get a lawyer and an engineer and whatever?"

Supervisor Cardinale: "No. But you certainly should not ask the Building Department, the Planning Department, a question. The Planning Department would be able to answer whether there was any zone- well, first of all there was no zone change in June other than the implementation of the two acre and one acre residential zoning throughout the town as suggested by the master plan."

The zoning that Barbara read into the record a moment ago, those 58 through 71- 758 through 771, that's the commercial and industrial districts which implement the master plan. There's a map that is going to show what is going to happen with the Park Road and Sound Avenue area. That's what you want to see. You want to see what this Town Board has in store for that area."

Dorothy O'Hare: "Yes."

Supervisor Cardinale: "And- is that- that map is going to be available when, Barbara?"

Councilwoman Blass: "Well, the big map actually exists already in the Planning Department."

Dorothy O'Hare: "Right. That's where I was."

Councilwoman Blass: "Each individual districts that we've discussed this evening will have a map attending it when you inspect the record at the Clerk's office when it all gets over there. But right now it exists in big form in the Planning Department. You could see where all the proposed districts- is out in the hall?"

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Dorothy O'Hare: "But I can't take a look at it?"

Supervisor Cardinale: "Yeah. You can definitely take a look at it. It is in the- "

Councilwoman Blass: "Actually, it may be out in the front hall. It's on the wall."

Dorothy O'Hare: "This #763. Yeah, but if you look at the map- "

Supervisor Cardinale: "You have to know what lot you're looking for."

Dorothy O'Hare: "You see the yellow which is north of Sound Avenue and then you see the cobalt blue square. But does that square include the extra 191 feet? Because that property is now for sale. That is my point. You have growing development that's going to put God only knows what in there."

I have a copy of the EMB plans. I- all I see is cesspools and septic tanks."

Supervisor Cardinale: "Yes, go ahead. Yeah, Barbara- first of all, Barbara would be happy to assist you and I think you need some assistance and Barbara is very knowledgeable so if you speak to her, she's just volunteered."

Dorothy O'Hare: "Yes. I have one more question, please."

Supervisor Cardinale: "Yes."

Dorothy O'Hare: "What is a wet store?"

Supervisor Cardinale: "A wet store?"

Dorothy O'Hare: "Yes. That's what I thought. There's a 100 seat restaurant and then there's nine stores and five of them are wet stores and five of them require grease traps. So to me, that's a luncheonette, a Chinese Restaurant, what? Five of them."

Supervisor Cardinale: "I- the wet store as you've said is one that uses more water than what they call a retail- a dry goods store. That's really what they're talking about. The- that- EMB is in the process now of being- they are required to come forth now with a

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draft environmental impact statement in regard to that development. The developer is working on that.

In the interval there will be- before September 30th- a determination by this Board as to the appropriate zoning pursuant to the master plan of that parcel.

If you work with Barbara, she will keep you absolutely up to date as to the Board's discussions on that and as those discussions have begun and will continue through the work sessions of the 19th, the 26th, the 3rd of September, the 10th of September, right up to the end of the month, as to whether- what's that going to be zoned. And that's really what you're worried about. What is that area going to be ultimately zoned as?"

Dorothy O'Hare: "Now, September 30th, that's supposed to be when this is implemented? We won't have the scoping hearing or the cumulative environmental impact statement at that point, will we?"

Supervisor Cardinale: "That's correct. We will have to pass- yeah, but they're two separate issues. The zoning issue, the determination of the zoning issue is the paramount one. If the zoning issue is determined to go to a residential zone in that area consistent with the generic impact statement and some of the language in the master plan, then that will move- that will in effect determine the zoning for the future in that area.

If there is a business use determined by this Board to be appropriate for that, the four corners, then the draft environmental impact statement would have to continue and the site plan process would have to continue.

But- so the paramount issue is what is it going to be zoned? Once that is determined, then we go onto the next issue. What's the site plan for the zoned area going to look like?

But I heard very clearly from the Reeves Avenue- Reeves Beach community that they want- they do not desire the accommodation of having a business use on Sound Avenue."

Dorothy O'Hare: "Definitely not."

Supervisor Cardinale: "It was thought by the Planning Board and I think well intentioned, that that was a good thing, particularly if we were going to enhance the numbers of homes north of Sound Avenue by the transfer of development rights of the farmland, that that would be a great amenity for the people in that

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area. They have made it very clear to us that they do not think it is an amenity. They're very happy to go up to Route 58 and beyond to the town, downtown, to shop.

So with that new information together with the new information gleaned from the resolution of the TDR program by compromising- it's only 500 of those TDR rights of the 5,500 will be residential, we won't have as much residential north of Sound Avenue. And the Board is considering what those factors now mean in regard to our major decision of basic responsibility to the public as to what zone we're going to put in that area. And believe me, the people who own the property and wish to develop it have an opinion."

Dorothy O'Hare: "Yes."

Supervisor Cardinale: "And I know that the Reeves Park- the Reeves community has an opinion and we're trying to sort it out. And we're trying to be fair to everybody. So."

Dorothy O'Hare: "But if you would need any help, just let me know."

Supervisor Cardinale: "Well, she's going to help you get all the information you need."

Dorothy O'Hare: "Thank you very much."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you, Mrs. O'Hare."

Supervisor Cardinale: "Yes, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Did we get any word back on that- that piece of property just to the east of Stoves and Stone?"

Supervisor Cardinale: "That's the- "

Sal Mastropolo: "I mean, I pass there a lot and if you ask me, that's a sand mining operation in the back. I mean they're processing sand and all day long."

Supervisor Cardinale: "Yeah. We've done a few things in regard to the issue of excavations over and above what we're permitting and sand mining under the guise of excavation which is

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really the same thing, over excavations. We've sent out our engineer and asked for certifications in certain spots as to what has really been taken out as opposed as to what has been said to be- what was said in the plans to be taken out. We spoke this morning, Barbara and I, about that very spot you just mentioned. That's a very old approved site plan."

Councilwoman Blass: "I think it was (inaudible)."

Supervisor Cardinale: "And her point is just what your point is, is that there's so much sand taken out at that point that couldn't possibly be consistent with what was approved. Somebody ought to check it. And we are.

And more importantly, the sand mining- excavation statute even by acknowledgment of the Building Department which administers it, Leroy Barnes, needs to be reworked. He's given me a memo that he needs- we need to monitor more closely what happens after the plans are accepted.

Because what's happening now is we're getting the plans certified, okay. The plans are certified. You are only going to take out this amount as shown on the plans. But nobody is routinely monitoring that the actual dig matches the plans. They're basing the fee on the plans. But there's no secondary, except in rare instances where it's part of the site plan approval, on condition. The statute doesn't allow that in every instance you have to go out at the end of the job and determine whether there was more taken out than the plans reflect."

Sal Mastropolo: "Well, don't we go out for a final inspection before the CO is issued?"

Supervisor Cardinale: "Yeah, sure."

Sal Mastropolo: "And can't we do it at that point?"

Supervisor Cardinale: "Yeah. But they're not, you can't just look. You know, you've got to actually take measurements and certifications by engineers and mathematical calculations and the guy that goes out doing the inspection is not equipped, isn't doing it, and we are assuming the good faith therefore of those who are operating and it is apparent that we cannot afford to do that because people are taking advantage."

Sal Mastropolo: "Okay. I have one other question. I started

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to look at some of those resolutions for the public hearing on September 13th."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And I started to read some of the detail and it looks like- it looks like we have far too many districts. I mean, I'm- and I'm going to start to read them now in detail, but it looks like we splintered it too much, okay. Particularly where, you know, we start to say, well, the area from Epcal to the end of the expressway is one zone but yet the area from the end of the expressway going east on the left side of 58 is another zone. I mean, how did we come up with so many different?"

Supervisor Cardinale: "I would- that's an interesting question. I was not active in two years immediately preceding- I was out of office those two years immediately preceding the master plan's passage in November of last year. And, you know, when I found out there were what, six or seven residential, that sounded reasonable. When I found out there were 15 industrial and commercial, it sounded like a lot.

I don't know if you're right or wrong, honestly, because I haven't studied the statute but it's going to get passed like that because we can't go back now and change- we're not going to go back now and change the master plan. But you may be right there. We need to consolidate ultimately, that 15 is both unnecessary and confusing. But unfortunately those zones are all set up in the master plan, right, Barbara?"

Councilwoman Blass: "Yes, they are."

Supervisor Cardinale: "They're all contemplated by the master plan. In order to implement the master plan, we will probably pass those zones and then if we find as you do that this is unnecessary to have this many, we'll consolidate them."

Sal Mastropolo: "Okay. Thank you."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "Thank you. If there is no further public comment, it being four- almost four o'clock, I'd like to end the meeting and we're going to probably- we're going to have a special hearing- we're not going to have another Town Board meeting until September 7th. So it's a three week hiatus. I anticipate a

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possible meeting, therefore, a special meeting next week to fill in after 10 days or so from now on what we need to do between now and September 7th. I will keep the press informed.

You had a comment, Rob? Rob Pike would like to make a final comment."

Robert Pike: "Just on two subjects that just came out. Rob Pike, Ostrander Avenue. First of all on the wide diversity of zones within the zoning map. I think you'll find that the intensity and gradient mix- the gradient of intensity and the mixes within them really do serve a very, very strong purpose.

One of the major planning concepts of more recent years is the idea of density gradience from broadly open and not dense, open spaces to the center of the hamlet centers and the center of the village let's say of Riverhead and having different gradients, i.e. different zones, that do draw a line somewhere but there's enough of them that you step your way up is a very good idea.

I testified at a hearing in Southampton last week where they ran into exactly the opposite problem. They were trying to put an office sort of like our CR, it's changing office to office- a highway business zone on CR 39 which is a part of Southampton that is threatening to become in their mind Route 58. And the zone they were trying to impose on it did not have enough use, did not have enough diversity for the private market to do what they wanted to do.

Trying to turn a highway of businesses into a highway of offices doesn't work and you need some multiple options and the closer you get to a major density center like the village of Riverhead or in that case the village of Southampton, having a large range of zones is helpful in doing that.

The second thing that occurred to me was monitoring the sand coming out of these facilities would be greatly enhanced with a simple piece of technology that exists now. As long as they have telephone lines on that site, there are now automatic motion detected cameras that they could pay to install and every time a truck goes out, a document would be created or in reel time and you just go through the tapes and count them. That's pretty hard evidence to argue with. And it is not that expensive. You can buy one of these cameras, motion detected, for a broad band link, a server and about \$150, that's under a thousand dollars. The technology exists for security control. It would work very well in this situation and they would end up having to argue with their own trucks if they didn't

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count things right. It's simple and it would work."

Supervisor Cardinale: "Thank you for those two good points. And did you get what you were looking for from Joey?"

Rob Pike: "Not yet."

Supervisor Cardinale: "Okay. I'll get him for you. Thank you very much for coming and we'll see you probably next week for a special meeting and on the 7th at Wading River, the next meeting, September."

Meeting adjourned: 3:50 p.m.